

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**CRAIG G. JOHNSON,**  
**Plaintiff,**

**v.**

**CIVIL ACTION NO. 16-12458-IT**

**STATE OF NEW HAMPSHIRE et al.,**  
**Defendants.**

**ORDER DISMISSING CASE WITHOUT PREJUDICE**

TALWANI, D.J.

December 23, 2016

On December 6, 2016, *pro se* plaintiff Craig G. Johnson filed a self-prepared complaint in the District of Massachusetts for violations of his Constitutional rights by actions allegedly taken in New Hampshire by defendants in that state. Venue is improper in this District because *none* of the defendants reside in Massachusetts, and *none* of the alleged actions or omissions occurred in Massachusetts. *See* 28 U.S.C. §1391(b). Because venue is improper in this District, and the plaintiff has not yet paid a filing fee and the court has not yet acted on plaintiff's motion for leave to proceed in forma pauperis, the case will be dismissed. *See* 28 U.S.C. §1406(a) (requiring dismissal or, if in the interest of justice, transfer of an action where venue is improper). This dismissal is without prejudice and does not bar plaintiff from filing an action where venue is proper.

Accordingly, this action is hereby DISMISSED without prejudice.

SO ORDERED.

/s/ Indira Talwani  
INDIRA TALWANI  
UNITED STATES DISTRICT JUDGE